

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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Mid America  
Computer Corporation

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FEDERAL COMMUNICATIONS COMMISSION

) OFFICE OF THE SECRETARY

CC Docket No. 98-170

Joint Petition for Interim  
Waiver of Section 64.2401 of the  
Commission's Rules

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To: Enforcement Bureau

**JOINT PETITION FOR INTERIM WAIVER**

Mid America Computer Corporation (MACC), Blaire, Nebraska, by its attorney, hereby requests on behalf of MACC's client telephone exchange and CLEC companies, an interim waiver (until April 1, 2000) of certain portions of section 64.2401 of the Commission's "truth-in-billing" rules, which are scheduled to take effect on November 12, 1999.<sup>1</sup> Interim waiver is requested on behalf of the small telephone company clients that use the billing services of MACC due to additional programming changes needed to comply fully with the order. It is believed that such programming changes at this critical time will place at risk the changes already in place for year 2000 (Y2K) readiness. This will in turn place our client telephone companies in danger of failing

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<sup>1</sup> See *In the Matter of Truth-in-Billing and Billing Format*, CC Docket 98-170, *First Report and Order and Further Notice of Proposed Rulemaking*; FCC 99-72, rel. May 11, 1999, 64 Fed. Reg. 34488 (1999); *Errata*, CC Docket 98-170, DA 99-2092, (rel. Oct. 6, 1999), 64 Fed. Reg. 56177 (1999). During November 1999 Mid-America was informally advised by the Commission's staff that an order relating to the instant subject would be forthcoming. However, because no orders appear to have been issued, the instant waiver request is being filed. A copy of the affected telephone exchange companies is being filed under separate cover with a request for confidentiality on the basis that MACC's customer list is proprietary. There are nearly three hundred companies included on the list and the intent is to show, *inter alia*, that there is an industry problem with immediate rule compliance which affects many companies. To the extent that individual waivers are required, the information is being submitted for that purpose also.

on their Y2K preparedness plans.

## **BACKGROUND**

MACC has provided billing services to small ILEC's for nearly 25 years, currently serving approximately 275 companies in 27 states. As the industry continues to change, MACC serves the traditional independent ILEC's as well as increasing numbers of emerging CLEC's in local and long distance services.

Small ILEC's have entered the 'toll resale' market by purchasing toll services from an established Interexchange Carrier, and 'branding' the service as its' own. Although a perfectly simple and straight forward business practice and a standard method of offering long distance service in rural areas, the practice does create certain billing system problems. The customer is PIC'd (preferred interLATA carrier) to the underlying carrier, but there is no direct business relationship between the subscriber and that carrier. The customer would understand that they are PIC'd to the local companies long distance service, with the local branding name. Until billing system changes can be affected it will not clarify these issues with the consumer, as is the desired affect of the Order, but would actually confuse consumers.

For this reason, MACC files in support of the "Joint Petition for Expedited Interim Waiver" filed by The National Exchange Carrier Association, Inc. (NECA), the National Telephone Cooperative Association, Inc. (NTCA), and the Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) on October 26, 1999 (Joint Parties Petition). Of primary concern in that petition are the issues surrounding processing of the sub-CIC<sup>2</sup> which is similar to the issue posed above concerning resale of toll. The Joint Parties Petition requests a waiver of sections 64.2401(a)(1) and (2), and section 64.2401(d) until April 1, 2000.

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<sup>2</sup> Sub-CIC's are secondary carriers sharing CIC's with other carriers, and whose identities are passed within the industry exchange data records to the billing carrier.

MACC furthermore files in support of the United States Telecommunications Association (USTA) petition for expedited waiver/stay seeking a blanket waiver of the TIB Order for small and mid-sized companies.<sup>3</sup> MACC has provided information to the USTA on the condition of billing systems in small companies, and the general need for relief from implementation of changes in systems during the critical Y2K period.

**WAIVER REQUEST**

MACC respectfully asks the Commission on behalf of approximately 275 small telephone companies for an additional interim waiver of the requirements that carriers separate charges on bills by service provider to the extent such identification is mandated by sections 64.2401(a)(1) and (2), and section 64.2401(d) until April 1, 2000. The billing statements of small companies are in substantial compliance now, and a delay to April will allow the time needed to properly plan and execute changes without disrupting systems during the critical Y2K period. After the roll-over into 2000, all carriers and service bureaus could then devote resources to come into full compliance with the requirements of section 64.2401 of the Commission's rules.

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Respectfully submitted,  
**MID AMERICA COMPUTER CORP.  
AND CLIENT COMPANIES**

  
Timothy E. Welch

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<sup>3</sup> Petition by USTA for an Expedited Waiver or Stay filed *in re Truth-in-Billing and Billing Format*, CC Docket No. 98-170 (Jul. 16, 1999) at 8-11.